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EXECUTIVE BUILDING - 300 FOURTH STREET

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US EPA RECORDS CENTER REGION 5



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AREA CODE 216

January 10, 1983

Kathleen Ann Sutula, Esq.  
Assistant U. S. Attorney  
United States Department of Justice  
1404 E. Ninth Street  
Suite 500  
Cleveland, Ohio 44004

Re: U.S.A. vs. Chemical Recovery Systems, Inc.

Dear Miss Sutula:

The following will summarize our proposed settlement discussions on January 5, 1983 as I understand them:

1. In the area of the "Brighton Still" CRS will remove the top foot of soil around the perimeter of the building foundation to a distance of two feet from the foundation and dispose of the removed soil in an approved site. The area excavated will then either be backfilled with top soil or graded to conform with the surrounding terrain.
2. CRS will excavate to a depth of one foot those areas that are perceptibly contaminated upon visual inspection, if any and will either backfill with a top soil material or grade to conform to the surrounding terrain. Areas that are "perceptibly contaminated" will be determined jointly by a representative of Chemical Recovery Systems and a representative of Plaintiff. A representative of Plaintiff will be made available for visual inspection upon one weeks notice.
3. Upon completion of grading and/or backfilling as required herein, the site will be sowed with rye seed to provide a ground cover.
4. Inspection, grading and all the other preparations prior to seeding the site shall be completed by June 15, 1983.

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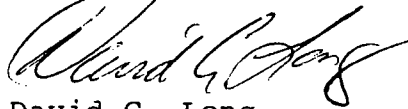
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5. CRS will agree to obtain river water samples in three locations during the spring and fall seasons for a period of two years commencing with the fall season 1983. CRS will, at its costs, have the samples analyzed for the existence of hazardous materials exclusive of heavy metals. Test results will be provided to Plaintiff and Plaintiff will be given the opportunity to obtain split samples.

The foregoing constitutes our understanding of the salient points of this proposed settlement. It is my understanding that a rough draft Journal Entry will be forthcoming within 10 days. I have asked that Chemical Recovery provide me with a synopsis of that which has already been done on the premises as soon as possible for editing and subsequent inclusion in the Journal Entry.

If there are any further questions please feel free to contact me.

Very truly yours,



David C. Long

DCL:cas

cc: Mr. Peter Shagena  
Mr. Joseph Heimbuch  
Mr. James C. Freeman  
Gary McInerny, Esq.